

Disciplinary Action Report

Employee Last Name:	Carter	Manager :	David Levenson/75/MKUSA
First Name:	Anthony	Level of Progressive Discipline:	Written
Location:	75 - New Castle	Classification of Disciplinary Problem:	Work Performance
Date Of Disciplinary Action:	05/09/2003	Other Detail:	

PART I - FACTS

On May 9th, 2003 I found Anthony sitting in the lunch room watching television during work hours. The reason given for the action was it was raining outside.

PART II - OBJECTIVES

Anthony is expected to report to work on time and to be productive for the entire shift. The only exceptions are to be scheduled break and lunch times. His scheduled work hours are from 8 AM to 5 PM. It should be noted that Marmon/Keystone does not expect employees to work in unsafe conditions. If an employee has a concern regarding working conditions than that employee is to approach his supervisor with his concerns. Managers at Marmon/Keystone have an open door policy with any employee. If an employees' supervisor determines that working conditions of the present job are unsafe, then that employee will be given alternate work or sent home.

PART III - SOLUTIONS

Other than lunch and break times, Anthony needs to be working during his scheduled work hours. When he accomplishes his tasks, he needs to seek out his supervisor for additional duties. At any time that Anthony finds himself without work, he should contact his supervisor for further instructions.

PART IV - ACTION

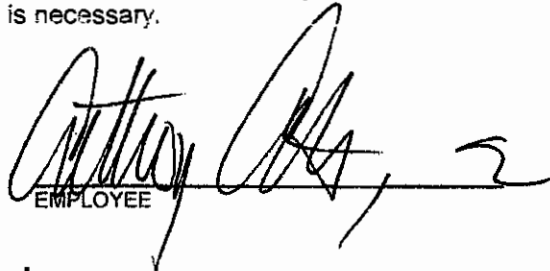
This is a written warning. Failure to follow the above instructions or further instances of non-productivity during work hours will subject Anthony for immediate discharge.

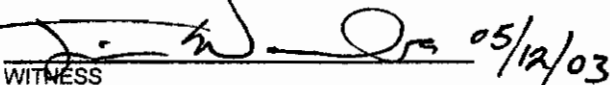
PART V - IDENTIFY

Though there are no previous disciplinary actions, due to the severity of the violation a written warning pending discharge for any further violation is necessary.

SIGNATURES:


MANAGER/SUPERVISOR


EMPLOYEE


WITNESS 05/12/03

For Troubleshooting Barb Lewis, [HR]

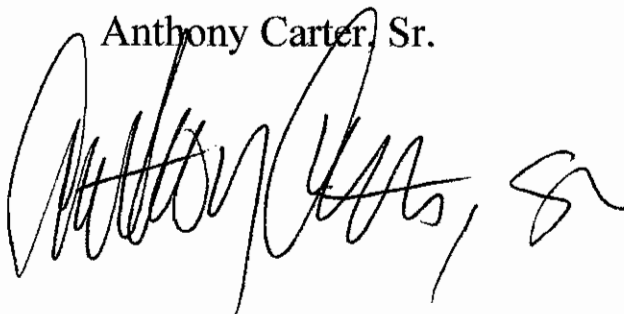
EXHIBIT
ONE

Written Warning from 05/09/03

On Friday May 5, 2003 Dave Stanford and I were
Sitting in the break room at approximately 12:45 pm waiting
For the rain to stop. Dave Levinson walked in told us to go out
And finish cleaning the yard. Chris Fountain was in the next office
Talking with Tim Slaughter (Warehouse Supervisor). And then
Dave Levinson pulled us all together and told us to go back out
In the rain to clean up the outside yard. Approximately five
Minutes later the rain stopped so we went back outside and
Finished cleaning the yard. Dave Levinson told Dave Stanford,
Chris Fountain and myself that everyone else was working in the
Rain. This was true, but they were not exposed to the rain, they
Were working under a carport. On Monday May 12 2003
Dave Levinson called, Dave Stanford, Chris Fountain, Tim
Slaughter and myself into Tim Wamba's (Branch Manager)
Office. He called us in to talk to us about what happen and
And to give us all a written warning. I told them in our meeting,

I felt for safety reasons I did the right thing by waiting for the Rain to stop. Tim Wamba replied, "We should have went to out Supervisor to see if there were any jobs on the inside that had To be completed." He also said he was disappointed with us Because we were his **top-notch** workers. There were people With more seniority than us that he could have called back That was still laid off. He said because we were his **top-notch** Workers and that he expected more from us. He said he was Going to give us a verbal written warning about the incident That we needed to sign. We all signed the Disciplinary Action Report. I did sign it with some apprehension because, I felt It was an unsafe environment to be working in the rain.

Anthony Carter, Sr.

A handwritten signature in black ink, appearing to read "Anthony Carter, Sr.", with a stylized flourish at the end.

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First Name:	Anthony	Level of Progressive Discipline:	Written
Location:	75 - New Castle	Classification of Disciplinary Problem:	Work Performance
Date Of Disciplinary Action:	06/13/2003	Other Detail:	DAR 5/09

PART I - FACTS

Anthony was observed to be taking unscheduled breaks and taking extended lunch time during regular working hours. This topic was discussed extensively on 5/9 in a verbal DAR

PART II - OBJECTIVES

Anthony is expected to report to work on time and to be productive for the entire shift. The only exceptions are to be scheduled break and lunch times. His scheduled work hours are from 8 AM to 5 PM. It should be noted that Marmon/Keystone does not expect employees to work in unsafe conditions. If an employee has a concern regarding working conditions than that employee is to approach his supervisor with his concerns. Managers at Marmon/Keystone have an open door policy with any employee. If an employees' supervisor determines that working conditions of the present job are unsafe, then that employee will be given alternate work or sent home..

PART III - SOLUTIONS

Other than lunch and break times, Anthony needs to be working during his scheduled work hours. When he accomplishes his tasks, he needs to seek out his supervisor for additional duties. At any time that Anthony finds himself without work, he should contact his supervisor for further instructions. This process needs to be done in an expeditious fashion.

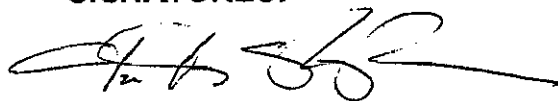
PART IV - ACTION

This is an written warning. Failure to follow the above instructions or further instances of non-productivity during work hours will subject Anthony for immediate discharge.

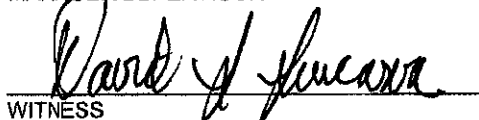
PART V - IDENTIFY

This situation has been discussed formally as recently as 5/9.

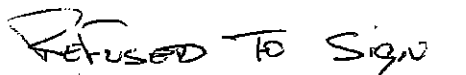
SIGNATURES:



MANAGER/SUPERVISOR



WITNESS



EMPLOYEE

Written Warning from 06/13/03

On June 13, 2003 Tim Slaughter said he wanted to talk to Chris Fountain and myself in his office one at a time. So Chris Went in his office first and then I followed, about 10 min. later. When I went in Tim Slaughter's office Dave Levinson was in the Office with Tim Slaughter. Tim gave me a written memo to Read that said, I went to lunch 20 minutes early on June 12, 2003 After reading the written warning I let him know that he was Bias and that it was not true. I refused to sign it. Chris Fountain, Stan Gryzbowski and I were all working together that day, All three of us went to lunch at the same time. Only Chris Fountain And myself were given the written warning. I made a comment About being bias due to Chris Fountain and myself are black, and Stan Gryzbowski is white. I asked Dave Levinson for the Employee Connection phone number. He said that he didn't have The number at that time but would get it for me. I didn't get it Until January 26, 2004 from Debra Burt the Human Resource Representative.